



Sen. Heather A. Steans

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09800SB3412sam002

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1 AMENDMENT TO SENATE BILL 3412

2 AMENDMENT NO. _____. Amend Senate Bill 3412, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 1, as follows:

5 on page 1, line 5, after "13B-25.25,", by inserting "14C-2,
6 14C-3,"; and

7 on page 9, line 21, by replacing "have" with "be an English
8 language learner, referred to in this Code as a student with";
9 and

10 on page 9, line 22, after "proficiency", by inserting ";"; and

11 on page 10, line 23, by replacing "have" with "be an English
12 language learner, referred to in this Code as a student with";
13 and

1 on page 10, line 24, after "proficiency", by inserting ","; and

2 on page 11, by replacing line 3 with the following:

3 "be an English language learner, referred to in this Code as a
4 student with limited English proficiency, shall receive
5 appropriate"; and

6 on page 11, line 4, after "accommodations,", by inserting
7 "including language supports,"; and

8 on page 11, line 5, by replacing "may" with "must"; and

9 on page 11, line 7, by replacing "have" with "be an English
10 language learner, referred to in this Code as a student with";
11 and

12 on page 11, line 23, by replacing "comprehension" with
13 "language"; and

14 on page 11, by replacing lines 24 through 26 with "and
15 speaking) and reading and writing skills to all children
16 determined to be English language learners, referred to in
17 Section 14C-3 of this Code as children with limited
18 English-speaking ability."; and

19 on page 24, immediately below line 20, by inserting the

1 following:

2 "(105 ILCS 5/14C-2) (from Ch. 122, par. 14C-2)

3 Sec. 14C-2. Definitions. Unless the context indicates
4 otherwise, the terms used in this Article have the following
5 meanings:

6 (a) "State Board" means the State Board of Education.

7 (b) "Certification Board" means the State Teacher
8 Certification Board.

9 (c) "School District" means any school district
10 established under this Code.

11 (d) "Children of limited English-speaking ability" means
12 (1) all children in grades pre-K through 12 who were not born
13 in the United States, whose native tongue is a language other
14 than English, and who are incapable of performing ordinary
15 classwork in English; and (2) all children in grades pre-K
16 through 12 who were born in the United States of parents
17 possessing no or limited English-speaking ability and who are
18 incapable of performing ordinary classwork in English.

19 (e) "Teacher of transitional bilingual education" means a
20 teacher with a speaking and reading ability in a language other
21 than English in which transitional bilingual education is
22 offered and with communicative skills in English.

23 (f) "Program in transitional bilingual education" means a
24 full-time program of instruction (1) in all those courses or
25 subjects which a child is required by law to receive and which

1 are required by the child's school district, which shall be
2 given in the native language of the children of limited
3 English-speaking ability who are enrolled in the program and
4 also in English, (2) in the reading and writing of the native
5 language of the children of limited English-speaking ability
6 who are enrolled in the program and in the oral language
7 (listening and ~~comprehension~~, speaking), reading, and writing
8 of English, and (3) in the history and culture of the country,
9 territory, or geographic area which is the native land of the
10 parents of children of limited English-speaking ability who are
11 enrolled in the program and in the history and culture of the
12 United States; or a part-time program of instruction based on
13 the educational needs of those children of limited
14 English-speaking ability who do not need a full-time program of
15 instruction.

16 (Source: P.A. 95-793, eff. 1-1-09.)

17 (105 ILCS 5/14C-3) (from Ch. 122, par. 14C-3)

18 Sec. 14C-3. Language classification of children;
19 establishment of program; period of participation;
20 examination. Each school district shall ascertain, not later
21 than the first day of March, under regulations prescribed by
22 the State Board, the number of children of limited
23 English-speaking ability within the school district, and shall
24 classify them according to the language of which they possess a
25 primary speaking ability, and their grade level, age or

1 achievement level.

2 When, at the beginning of any school year, there is within
3 an attendance center of a school district not including
4 children who are enrolled in existing private school systems,
5 20 or more children of limited English-speaking ability in any
6 such language classification, the school district shall
7 establish, for each classification, a program in transitional
8 bilingual education for the children therein. A school district
9 may establish a program in transitional bilingual education
10 with respect to any classification with less than 20 children
11 therein, but should a school district decide not to establish
12 such a program, the school district shall provide a locally
13 determined transitional program of instruction which, based
14 upon an individual student language assessment, provides
15 content area instruction in a language other than English to
16 the extent necessary to ensure that each student can benefit
17 from educational instruction and achieve an early and effective
18 transition into the regular school curriculum.

19 Every school-age child of limited English-speaking ability
20 not enrolled in existing private school systems shall be
21 enrolled and participate in the program in transitional
22 bilingual education established for the classification to
23 which he belongs by the school district in which he resides for
24 a period of 3 years or until such time as he achieves a level of
25 English language skills which will enable him to perform
26 successfully in classes in which instruction is given only in

1 English, whichever shall first occur.

2 A child of limited English-speaking ability enrolled in a
3 program in transitional bilingual education may, in the
4 discretion of the school district and subject to the approval
5 of the child's parent or legal guardian, continue in that
6 program for a period longer than 3 years.

7 An examination in the oral language (listening and
8 ~~comprehension,~~ speaking), reading, and writing of English, as
9 prescribed by the State Board, shall be administered annually
10 to all children of limited English-speaking ability enrolled
11 and participating in a program in transitional bilingual
12 education. No school district shall transfer a child of limited
13 English-speaking ability out of a program in transitional
14 bilingual education prior to his third year of enrollment
15 therein unless the parents of the child approve the transfer in
16 writing, and unless the child has received a score on said
17 examination which, in the determination of the State Board,
18 reflects a level of English language skills appropriate to his
19 or her grade level.

20 If later evidence suggests that a child so transferred is
21 still disabled by an inadequate command of English, he may be
22 re-enrolled in the program for a length of time equal to that
23 which remained at the time he was transferred.

24 (Source: P.A. 89-397, eff. 8-20-95.)".